

## **EXHIBIT 2**

CONFIDENTIAL

Page 1

1 UNITED STATES DISTRICT COURT  
 2 NORTHERN DISTRICT OF ILLINOIS  
 3 EASTERN DIVISION

4 DOROTHY FORTH, DONNA BAILEY, )  
 LISA BULLARD, RICARDO GONZALES, )  
 5 CYNTHIA RUSSO, TROY TERMINE, )  
 INTERNATIONAL BROTHERHOOD OF )  
 6 ELECTRICAL WORKERS LOCAL 38 )  
 HEALTH AND WELFARE FUND, )  
 7 INTERNATIONAL UNION OF )  
 OPERATING ENGINEERS LOCAL 295- )  
 8 295C WELFARE FUND, AND )  
 STEAMFITTERS FUND LOCAL 439, on )  
 9 Behalf of Themselves and All )  
 Similarly Situated, )  
 10 )  
 Plaintiffs, )  
 11 ) Civil No.  
 vs. ) 17-CV-2246  
 12 )  
 WALGREEN CO., )  
 13 )  
 Defendant. )

14  
 15  
 16 \*\* C O N F I D E N T I A L \*\*  
 17

18 The video deposition of MICHAEL AMIET, taken  
 19 before Richard Derrick Ehrlich, Registered Merit  
 20 Reporter, Certified Realtime Reporter, taken  
 21 pursuant to the Federal Rules of Civil Procedure, at  
 22 Reed Smith, LLP, 10 S. Wacker Drive, Chicago,  
 23 Illinois, commencing at 9:00 a.m., on the 20th day  
 24 of November, 2019.  
 25

CONFIDENTIAL

Page 2

A P P E A R A N C E S

On behalf of the Plaintiffs:

Joseph P. Guglielmo  
Carey Alexander  
SCOTT + SCOTT, ATTORNEYS AT LAW, LLP  
230 Park Avenue, 17th Floor  
New York, NY 10169  
212.223.4478  
jguglielmo@scott-scott.com  
calexander@scott-scott.com

On behalf of the Defendant:

Selina P. Coleman  
Michael Leib  
REED SMITH  
1301 K Street, N.W.  
Suite 1000 - East Tower  
Washington, D.C. 20005  
202.414.9220  
scoleman@reedsmith.com  
mleib@reedsmith.com

Daniel P. Fitzgerald  
Senior Counsel  
WALGREEN CO.  
104 Wilmot Road  
Deerfield, IL 60015  
847.315.4857  
dan.fitzgerald@walgreens.com

Videographer:

Daniel Froman

CONFIDENTIAL

Page 71

1           that?

2       A    So that would've been prior to the initial  
3           April 2006 pilot.  As Jay was speaking with his  
4           boss, Michelle Garvey, in the lead-up to  
5           thinking about piloting this, they were having  
6           discussions about what the purpose would be of  
7           creating this type of a product.  And so I don't  
8           know the exact time frame, but it would've been  
9           prior to that April of 2006 pilot launch.

10       Q   And when was the initial reason -- when was  
11           that -- you said it was abandoned.  When was it  
12           abandoned --

13                   MS. COLEMAN:  Objection.

14       BY MR. GUGLIELMO:

15       Q    -- the determination to offer the Prescription  
16           Savings Club in connection with Part D coverage?

17       A    Sometime prior to the actual launch of the  
18           pilot.

19       Q    And do you know why it was abandoned?

20       A    [REDACTED]  
21           [REDACTED]  
22           [REDACTED]

23       Q    So then after the initial development, Walgreens  
24           then changed essentially the purpose of what the  
25           Prescription Savings Club was going to be?

CONFIDENTIAL

Page 72

1 A Yes.

2 Q And when was that?

3 A Again, sometime prior to the initial launch. So  
4 I would say early 2006.

5 Q And what was the ultimate purpose of the -- can  
6 I call it -- can I use -- PSC. Can I use PSC?

7 A Let's do that.

8 Q What was the ultimate purpose of the PSC?

9 A The purpose changed to being -- to offer a  
10 membership program for uninsured and  
11 underinsured customers who were, for the most  
12 part, price sensitive customers.

13 Q Has that been the purpose throughout the --  
14 since the national launch to today, for example?

15 A Yes.

16 Q Have there been any other purposes of the PSC?

17 A Yes.

18 Q What other purposes does the PSC serve?

19 A Really, I guess it's a clarification. When I  
20 say it's a product intended to provide a  
21 different set of prices to the uninsured and the  
22 underinsured, Walgreens wasn't doing that from  
23 an altruistic perspective. There's an element  
24 of that -- as a health care services provider,  
25 we wanted people to have access to prescriptions

CONFIDENTIAL

Page 73

1       that they might otherwise not have been able to  
2       afford, but we also thought that the program  
3       would -- it would do two things: One, it would  
4       cause people who might otherwise fill their  
5       prescriptions at a different pharmacy provider  
6       to come to Walgreens. And to the extent that  
7       people were going to pay a membership fee and  
8       join a club program, then any time they did have  
9       a prescription, they wouldn't say, Oh, I'm going  
10      to be at the grocery store. I'll just fill it  
11      at, you know, at Kroger. They would say, I paid  
12      to be part of this program at Walgreens, and so  
13      I'm going to take all of my prescriptions there  
14      and get all the value I can out of that program.

15               So that loyalty was another element that we  
16      were trying to drive.

17      Q     So we have the definitions, you referred to two  
18      categories of customers, I think. Uninsured.  
19      Who are you referring to with respect to the  
20      definition of uninsured?

21      A     These are individuals who have no third-party  
22      coverage from any source.

23      Q     And underinsured, what does that mean?

24      A     Underinsured is a more difficult one because I  
25      think it -- colloquially you sort of think, oh,

CONFIDENTIAL

Page 90

1       the PSC pricing to individuals who did not pay a  
2       membership fee?

3       A    Not to my knowledge.

4       Q    Did Walgreens ever make exceptions to --  
5       including certain individuals or categories of  
6       individuals as -- to receive the PSC pricing  
7       although they hadn't paid a membership fee?

8               MS. COLEMAN:  Objection to form.

9               THE WITNESS:  So in the interest of  
10       clarity, I think I understand.  There was a time  
11       starting in 2011, actually through to this date,  
12       when Walgreens corporate pays the PSC membership  
13       fee for its employees who wish to join the club.  
14       And so as an employee benefit, there were  
15       individuals who had that fee paid for them by  
16       the company.

17       BY MR. GUGLIELMO:

18       Q    Other than Walgreens' employees, are there  
19       certain categories of individuals that would  
20       receive the PSC pricing, although not members of  
21       the PSC club?

22       A    No.

23               MR. LEIB:  And just to be clear, I think  
24       the witness testified that the Walgreens'  
25       employees for whom the fee was paid were members

CONFIDENTIAL

Page 91

1 of the Walgreens Prescription Savings Club.

2 MR. GUGLIELMO: Understood.

3 MR. LEIB: Okay. Your question sort of  
4 assumed that it wasn't. So I just want to --

5 MR. GUGLIELMO: No. I was following up my  
6 prior question.

7 BY MR. GUGLIELMO:

8 Q Is the PSC a formal, legal entity as far as you  
9 know?

10 MS. COLEMAN: Objection to form.

11 THE WITNESS: I don't know.

12 BY MR. GUGLIELMO:

13 Q Are there officers or directors of the PSC?

14 A Not to my knowledge.

15 Q Are there eligibility requirements for the PSC?

16 A There are, yes.

17 Q What are they?

18 A The two key requirements, one, the individual  
19 has to be willing to provide an email address as  
20 part of registration, which is -- so we can  
21 communicate with these individuals who are part  
22 of the club. And, two, they have to certify  
23 that they're not members of a publicly funded  
24 program, meaning Medicaid or Medicare.

25 Q And do you have an understanding why Walgreens



CONFIDENTIAL

Page 92

1 excludes members of a publicly funded program?

2 A [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]

9 Q Any other requirements other than the email  
10 address and the certification?

11 A In addition to the certification and the  
12 primary -- what the certification was was a  
13 subset of agreeing to the terms and conditions  
14 of membership in the program. So that was the  
15 other piece; had to agree to the terms and  
16 conditions.

17 Q Does Walgreens maintain the certifications of  
18 those who have joined the club?

19 MS. COLEMAN: Objection to form.

20 THE WITNESS: I don't have specific  
21 knowledge. It would surprise me greatly if we  
22 did not maintain those certifications and  
23 document those certifications.

24 BY MR. GUGLIELMO:

25 Q In the process of enrolling a member, does the

CONFIDENTIAL

Page 93

1 pharmacy have to indicate that the potential  
2 member has provided the specific requirements;  
3 in other words, the email address and certify?

4 A The individual customer actually, on the PIN pad  
5 at the point of sale, has to confirm what we  
6 just discussed. And for that reason, for  
7 example, people can't join the PSC when they  
8 come through the drive-thru because we don't  
9 have that terminal for them respond that they're  
10 accepting the terms and conditions, and that  
11 they're not a member of a publicly funded  
12 program. And so it's not the pharmacist that  
13 does the confirmation, it's actually an active  
14 action of the customer themselves at the point  
15 of sale.

16 Q Has that been the process from 2008 to the  
17 present?

18 A Yes.

19 Q Is there any other way to join other than  
20 through the process that you've just described?

21 A Individuals through Walgreens.com, they can fill  
22 out what looks like an enrollment form. And  
23 they provide the information, and they can print  
24 that form. But then in order to actually join  
25 the program, they have to bring that to the

CONFIDENTIAL

Page 94

1 pharmacy and go through the steps that I talked  
2 about where they actually have to make those  
3 confirmations at the point of sale.

4 So to my knowledge, the only way to join  
5 the PSC is in store physically.

6 Q Okay. At a certain point in time, Walgreens  
7 began developing call it PSC 2?

8 A Yes.

9 Q Do you know approximately when that started?

10 A The development began 2010, 2011. The launch  
11 was May of 2012.

12 Q And what was the reason why Walgreens developed  
13 PSC 2, or 2.0?

14 A There were a lot of surveys that were done of  
15 our customers around our club program, other  
16 options they had in the marketplace, and one of  
17 the things that we heard very clearly was that  
18 customers were -- they wanted to have certainty  
19 about what they were going to pay for their drug  
20 before they ever got to the pharmacy.

21 And so in PSC 1.0, we had somewhere between  
22 300 and 400 VPGs, value price generics, that we  
23 talked about previously that had that  
24 characteristic where we published a list that  
25 said, you know, these 300 or 400 NDCs, you will

CONFIDENTIAL

Page 95

1       pay 9.99 for a 30-day supply, or you will pay  
2       \$12 for a 90-day supply.

3               We wanted to create that certainty across a  
4       larger number of products. And the cost to  
5       Walgreens of actually purchasing these drugs, we  
6       couldn't support that price point for all of the  
7       drugs that we might want to put onto a fixed  
8       published price, and so we created additional  
9       tiers.

10              And so there were certain drugs where it  
11       made sense from a Walgreens' cost perspective  
12       that those could be \$5 for a 30-day supply, that  
13       was tier 1. Others at \$10 for two tier. And  
14       then tier 3 was \$15.

15              And now we got to 700 to 800 drugs instead  
16       of that 300. And so it really -- that was the  
17       primary motivating factor, was just to put more  
18       products on the VPG in a way that it would  
19       create great visibility for those individuals  
20       and attract them to our store.

21       Q       Taking a step back. You mentioned the 9.99 and  
22       \$12 price points for PSC 1?

23       A       Yes.

24       Q       Do you know why those price points were set at  
25       the prices that were provided?

CONFIDENTIAL

1     **A**     [REDACTED]

2     [REDACTED]

3     [REDACTED]     [REDACTED]

4     [REDACTED]

5     [REDACTED]     [REDACTED]

6     [REDACTED]     [REDACTED]

7     [REDACTED]

8            [REDACTED]

9     [REDACTED]     [REDACTED]

10    [REDACTED]

11    [REDACTED]

12    [REDACTED]

13            [REDACTED]

14    [REDACTED]

15    [REDACTED]

16            [REDACTED]

17    [REDACTED]

18    [REDACTED]

19    [REDACTED]

20    [REDACTED]

21    [REDACTED]     [REDACTED]

22    [REDACTED]     [REDACTED]

23    [REDACTED]

24    [REDACTED]

25    [REDACTED]

CONFIDENTIAL

Page 97

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 A [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED] [REDACTED]

23 [REDACTED]

24 Q [REDACTED] [REDACTED]

25 [REDACTED]

CONFIDENTIAL

1     **A**     [REDACTED]

2     **Q**     [REDACTED] [REDACTED]

3     [REDACTED]

4     [REDACTED] [REDACTED]

5     [REDACTED]

6     [REDACTED] [REDACTED]

7     [REDACTED]

8     **A**     [REDACTED]

9     [REDACTED]

10    [REDACTED]

11    [REDACTED]

12    [REDACTED]

13    [REDACTED]

14       [REDACTED]

15    [REDACTED]

16    [REDACTED] [REDACTED]

17       [REDACTED]

18    [REDACTED]

19    [REDACTED]

20    [REDACTED]

21    [REDACTED]

22    [REDACTED] [REDACTED]

23    [REDACTED]

24    [REDACTED]

25    [REDACTED]

CONFIDENTIAL

Page 115

1 MR. LEIB: Would this be a good time for a  
2 break?

3 It sounds like -- or whenever you're  
4 finished with this line of questioning.

5 MR. GUGLIELMO: About five minutes.

6 MR. LEIB: That's fine.

7 MR. GUGLIELMO: Thank you.

8 BY MR. GUGLIELMO:

9 Q How did Walgreens market the PSC 1 program to  
10 individuals?

11 A Around the time of the national launch, we did a  
12 significant amount of marketing. A number of  
13 different components. I'll describe the most  
14 important ones. We can go through them.

15 We did broadcast advertising both national  
16 and local. So TV ads. We did radio ads.  
17 Again, national and local. We did ads in print  
18 publications, both the circular or the roto that  
19 Walgreens circulated as well as other print  
20 publications. We did other outdoor advertising.  
21 Billboards, for example. We did a significant  
22 amount of in-store advertising. So we had  
23 trifold brochures that were available in all the  
24 pharmacy counters. We had in-store signage.  
25 The reader boards that are outside of the store,



CONFIDENTIAL

Page 116

1       they have the LED scroll, we would advertise the  
2       PSC.

3               And then one of the most powerful marketing  
4       tools that we have is our pharmacists and our  
5       pharmacy techs who would talk to people about  
6       the availability of the program.

7               I think those are the principal ways that  
8       we communicated with individuals.

9       Q       Who was the target audience or demographic with  
10      respect to the marketing program for PSC 1?

11              MS. COLEMAN:   Objection to form.

12              THE WITNESS:   Everyone, frankly.   The  
13      marketing wasn't targeted to a particular subset  
14      of individuals.   Everyone who was paying a  
15      significant out-of-pocket amount for drugs who  
16      might be interested in being part of a club  
17      where they could receive discounts on the amount  
18      that they were paying, that's who we were  
19      targeting, whoever they might be.

20      BY MR. GUGLIELMO:

21      Q       And was part of the message in the marketing  
22      that the PSC was an alternative for cash paying  
23      customers or retail price paying customers?

24      A       The messaging, to my knowledge, is always around  
25      uninsured customers, and cash customers are a

CONFIDENTIAL

Page 117

1 subset of uninsured customers, customers who pay  
2 the retail price. And then underinsured  
3 customers who, really as we talked about,  
4 anybody who had insurance but had a high  
5 out-of-pocket cost on at least one of their  
6 products, they were the target audience as well.

7 Q Did Walgreens market the PSC 2 Taft-Hartley  
8 funds?

9 A No.

10 Q Do you know if Walgreens marketed the PSC to  
11 third-party payors?

12 A Third-party payors. Do you mean plan sponsors?

13 Q Yes.

14 A No. The marketing was to individuals who may  
15 have been covered under those plan sponsors,  
16 those third-party payors, but there was no  
17 explicit marketing done to health plans or  
18 employer groups.

19 Q Were they a part of the target audience?

20 A The health plans?

21 Q Yes.

22 A The third-party payors, no, they were not.

23 Q How about the Taft-Hartley funds, were they a  
24 part of the target audience?

25 A The proposition was for consumers. So in that

CONFIDENTIAL

Page 223

1 [REDACTED]

2 A [REDACTED]

3 Q [REDACTED] [REDACTED]

4 [REDACTED]

5 A [REDACTED]

6 Q [REDACTED]

7 A [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED] [REDACTED]

11 [REDACTED] [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED]

18 [REDACTED] [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 Q [REDACTED] [REDACTED]

25 [REDACTED]

CONFIDENTIAL

Page 224

1 [REDACTED] [REDACTED]

2 [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 Q [REDACTED] [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 A [REDACTED]

15 Q [REDACTED] [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED] day

22 [REDACTED]

23 [REDACTED]

24 A [REDACTED]

25 Q [REDACTED] [REDACTED]

CONFIDENTIAL

Page 225

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 A [REDACTED]

10 Q [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 A [REDACTED]

16 Q [REDACTED]

17 A [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

CONFIDENTIAL

Page 226

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 Q [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 Q [REDACTED]  
25 [REDACTED]

CONFIDENTIAL

Page 227

1 [REDACTED]

2 [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Q [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED] [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 Q [REDACTED]

24 [REDACTED]

25 [REDACTED] [REDACTED]

CONFIDENTIAL

Page 228

1 [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 Q [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 A [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 Q [REDACTED]



CONFIDENTIAL

Page 229

1     **A**     [REDACTED]

2             [REDACTED]     [REDACTED]

3             [REDACTED]

4     [REDACTED]

5     [REDACTED]

6     [REDACTED]

7     [REDACTED]

8     [REDACTED]

9     **Q**     [REDACTED]

10     [REDACTED]

11     [REDACTED]

12     [REDACTED]

13             [REDACTED]     [REDACTED]

14             [REDACTED]     [REDACTED]

15     [REDACTED]     [REDACTED]

16     [REDACTED]     [REDACTED]

17     [REDACTED]

18     [REDACTED]

19     **Q**     [REDACTED]

20     [REDACTED]

21     [REDACTED]

22     **A**     [REDACTED]

23     [REDACTED]

24     [REDACTED]

25     [REDACTED]

CONFIDENTIAL

Page 230

1

2

3

4 Q Okay. We'll mark as Exhibit 80. Again, we've  
5 included the first 24 pages of the agreement,  
6 not the attachments. A document bearing Bates  
7 number WALG\_FORTH\_00095271 through 294.

8 MS. COLEMAN: I'll note the same objection  
9 for the record.

10 (Exhibit No. 80 marked.)

11 THE WITNESS: Okay.

12 BY MR. GUGLIELMO:

13 Q Okay. Mr. Amiet, have you had a chance to take  
14 a look at the document that I've had marked as  
15 Exhibit 80?

16 A I have, yes.

17 Q Do you recognize this document?

18 A I do.

19 Q

20

21

22

23

24 A

25 Q

CONFIDENTIAL

Page 234

1 network contracting. And so she contracted on  
2 behalf of the PBM with pharmacies, and she  
3 managed the contract with Walgreens.

4 Q And we have Ms. Reaves who is receiving the  
5 email. Do you see that?

6 A I do, yes.

7 Q [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]

25 A [REDACTED]

CONFIDENTIAL

Page 235

1 Q [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 A [REDACTED]

19 [REDACTED]

20 Q [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

CONFIDENTIAL

Page 236

1 [REDACTED] [REDACTED]  
2 [REDACTED]  
3 Q [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 A [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 Q [REDACTED]  
16 [REDACTED]  
17 A [REDACTED]  
18 Q [REDACTED]  
19 A [REDACTED] [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED]

CONFIDENTIAL

Page 237

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 Q [REDACTED]

5 [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 Q [REDACTED]

10 [REDACTED]

11 A [REDACTED]

12 Q Let's mark as Exhibit 82, a document bearing  
13 Bates WALG\_FORTH\_00180170 through 188.

14 (Exhibit No. 82 marked.)

15 THE WITNESS: Okay.

16 BY MR. GUGLIELMO:

17 Q Mr. Amiet, have you had a chance to take a look  
18 at the document I've had marked as Exhibit 82?

19 A I have.

20 Q Do you recognize this document?

21 A Yes.

22 Q What is it?

23 A [REDACTED]

24 [REDACTED]

25 [REDACTED] [REDACTED]

CONFIDENTIAL

1 [REDACTED]

2 [REDACTED] [REDACTED]

3 [REDACTED]

4 Q [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 A [REDACTED]

10 [REDACTED]

11 Q [REDACTED]

12 [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED]

15 A [REDACTED]

16 Q [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 A [REDACTED]

25 Q [REDACTED]

CONFIDENTIAL

Page 239

1     **A**     [REDACTED]

2     [REDACTED]

3     [REDACTED]

4     [REDACTED]

5             [REDACTED]

6     [REDACTED]

7     [REDACTED]

8     [REDACTED]

9     [REDACTED]

10    [REDACTED]

11    [REDACTED]     [REDACTED]

12    [REDACTED]

13    [REDACTED]

14    [REDACTED]

15    **Q**     [REDACTED]

16    **A**     [REDACTED]

17    [REDACTED]

18    [REDACTED]

19    [REDACTED]

20    [REDACTED]

21    [REDACTED]

22    [REDACTED]

23    [REDACTED]

24    [REDACTED]

25    [REDACTED]



CONFIDENTIAL

Page 240

1 [REDACTED] [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 Q [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED]

CONFIDENTIAL

Page 249

1           understanding is it's your position, or at least  
2           Walgreens' position, that because it's a cash  
3           customer it wouldn't be; is that correct?

4       A     That's correct.

5       Q     We'll turn to an exhibit marked as 84. And I  
6           truncated this one as well because it's over 166  
7           pages. Walgreens\_FORTH\_00163844 through 868.

8           MS. COLEMAN: Same objection. We  
9           appreciate you saving the trees.

10          MR. GUGLIELMO: That's fine.

11          (Exhibit No. 84 marked.)

12          THE WITNESS: Okay.

13       BY MR. GUGLIELMO:

14       Q     Mr. Amiet, have you had a chance to take a look  
15           at this document I've marked as Exhibit 84?

16       A     I have, yes.

17       Q     Okay. And what is this document?

18       A     [REDACTED]  
19           [REDACTED] [REDACTED]  
20           [REDACTED]

21       Q     [REDACTED]  
22           [REDACTED] [REDACTED]  
23           [REDACTED]

24       A     [REDACTED]

25       Q     [REDACTED] [REDACTED]

CONFIDENTIAL

Page 250

1     **A**     [REDACTED]

2     **Q**     [REDACTED]     [REDACTED]     [REDACTED]

3             [REDACTED]

4     [REDACTED]

5     [REDACTED]     [REDACTED]

6     [REDACTED]     [REDACTED]

7     [REDACTED]

8     [REDACTED]

9     [REDACTED]

10    [REDACTED]

11    [REDACTED]

12    [REDACTED]

13    [REDACTED]

14    [REDACTED]

15             [REDACTED]

16    **A**     [REDACTED]

17    **Q**     [REDACTED]     [REDACTED]

18    [REDACTED]

19    [REDACTED]

20             [REDACTED]

21    [REDACTED]

22    [REDACTED]

23    **A**     [REDACTED]

24    **Q**     [REDACTED]

25    **A**     [REDACTED]

CONFIDENTIAL

Page 251

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 Q [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 A [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 Q [REDACTED]

18 [REDACTED] [REDACTED]

19 [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED] [REDACTED] [REDACTED]

23 [REDACTED]

24 [REDACTED] [REDACTED]

25 [REDACTED] [REDACTED]

CONFIDENTIAL

Page 285

CERTIFICATE

I, Richard D. Ehrlich, a Certified Shorthand Reporter of the State of Illinois, CSR License No. 084-4018, do hereby certify that I stenographically reported the proceedings had at the video deposition, as aforesaid, and that the foregoing transcript is a true and accurate record of the proceedings had therein.

IN WITNESS WHEREOF, I do set my hand at Chicago, Illinois, this 13th day of December, 2019.



Richard D. Ehrlich  
Certified Shorthand Reporter  
License No. 084.4018